Item 1008-D

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96TH CONGRESS
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SENATE

REPORT
No. 96-1052

COMPLETED

PROVIDING GREATER FLEXIBILITY FOR THE ARMED FORCES IN ORDERING RESERVES TO ACTIVE DUTY

DECEMBER 3 (legislative day, NOVEMBER 20), 1980.—Ordered to be printed

Mr. NUNN, from the Committee on Armed Services, submitted the following

REPORT

ORIGINAL

[To accompany H.R. 7682]

The Committee on Armed Services, to which was referred the bill (H.R. 7682) to amend title 10, United States Code, to provide greater flexibility for the Armed Forces in ordering Reserves to active duty, having considered the same, reports favorably thereon with amendments and recommends that the bill (as amended) do pass.

PURPOSE AND SUMMARY

H.R. 7682 provides greater flexibility in the utilization of reserve components, thereby improving their mobilization capability. The bill which contains four sections, would:

(1) Increase from 50,000 to 100,000 the number of Selected Reservists the President may order to active duty for a period of up to 90 days without a declaration of national emergency;

(2) Clarify the authority of the Service Secretary concerned to determine in advance the amount of time a Reservist may expect between being alerted and reporting for active duty.

(3) Eliminate the requirement that a Reserve Officer must serve not less than three months when ordered to active duty after completing the Reserve Officer Training Corps program; and,

(4) Authorize additional senior enlisted personnel on active duty in support of Reserve components.

COMMITTEE CONSIDERATIONS

The committee amended the bill by striking the provision (Subsection (a) of section 1) which eliminated the requirement for the Director of Selective Service to screen members of the Standby Reserve before they could be ordered to active duty in time of war or national emergency. This requirement was previously eliminated by the Senate amendment to H.R. 5766, which became Public Law 96–357

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on September 24, 1980. This previous enactment makes inclusion in this bill unnecessary.

The committee further amended the bill to authorize additional senior enlisted personnel on active duty in support of Reserve components.

Background and Discussion

INCREASED SELECTIVE RESERVE CALL-UP AUTHORITY

Public Law 94–286, May 14, 1976, provided the President with authority to call to active duty up to 50,000 members of the Selected Reserve for a period up to 90 days without a declaration of national emergency. The Committee recommends a change that would increase to 100,000 the number of Reservists the President may order to active duty under such circumstances.

The original legislation was intended to enable more flexible use of Reserve units and personnel and thus making reliance on Reserve forces more credible. Our increased reliance on Reserve forces requires that we demonstrate to potential adversaries, our allies, the active duty and Reserve establishments, and the general public, a timely reserve capability. It also means that our Reserve forces must be carefully tailored to complement the missions of our active force. Two basic concepts reflect how this authority might be used. First, there may be minor situations requiring short-term use of capabilities which are unique to the Reserve components or only exist in the active force in small number.

Second, it may be necessary to get certain Reserve components into place during a period of international tension, but before major confrontation and any declaration of national emergency. For example, the present law permits the President to call up certain Reserve component units needed for operating the deployment system to Europe, or needed for mobilizing other Reserve component units for a NATO contingency.

Experience gained during the recent mobilization exercise, "Nifty Nugget", indicates that more than 50,000 Selected Reservists would be needed in the early stages of a mobilization buildup in a developing crisis. Thus, the Department of Defense has recommended and the Committee has approved an increase from 50,000 to 100,000 in the number of Selected Reservists that the President may order to active duty under section 763b of title 10, United States Code.

RELATIONSHIP TO THE WAR POWERS ACT

Current law and the Committee recommended amendment do not alter or circumvent the provisions of the War Powers Resolution. The War Powers Resolution limits the power of the President, acting alone, to introduce United States armed forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstance. It also requires consultation, reports, and other information, and fixes specific dates for the termination of the use of United States armed forces so introduced unless Congress has approved or unless other specified circumstances exist.

This Reserve call-up legislation only provides limited authority for the President to order units and members of the Selected Reserve to active duty. Once on active duty under this authority, the Presi-

dent's use of such Reserve members and units would be subject to the War Powers Act in the same manner as any other active duty military units and members.

AUTHORITY TO CALL UP RESERVES

The Committee recommendation sets no precedent relating to the Congressional grant of authority to the President for calling up Reserves. Longstanding statutes already authorize for the President to call to active service a large number of active Reserves to meet a wide range of contingencies. This statutory authority generally rests on the constitutional responsibility of Congress to provide for calling forth the militia and raising and supporting armies.

Selected Reserve forces, if called to active duty under this authority, could not be used for domestic or civil purposes. Today, even without the existence of an emergency, current law permits the President to use the militia, the Federal Reserve components, and in certain cases the active forces, for purposes such as suppressing insurrections and enforcing Federal and State laws under certain conditions.

Section 673b(b) of title 10, United States Code prohibits the use of Selected Reserve forces called to active duty under the authority of this section for such purposes, but that provision in no way alters the President's existing authority in this area.

The only change to the current section 673b recommended in the Committee amendment is the increase, from 50,000 to 100,000, in the number of Selected Reservists who may be called to active duty.

SMALL UNITS MAY BE CALLED

The Committee has previously expressed its intention that this authority be available for use in calling up small units, companies, groups, platoons, and detachments, whether or not they are elements of larger size organizations. In other words, the use of this authority is not limited to units of any minimum size, and units the size of companies and even two-men detachments may be called to active duty if needed. Despite these expressed intentions, witnesses have expressed some concern about the meaning of the term "units" in this legislation. The Committee has requested the Department of Defense to develop a definition of that term at the earliest possible time.

Clarified Role of Service Secretary

Currently a Ready Reservist is permitted a 30 day delay between the time the individual is ordered to active duty in time of war or national emergency and the time he must report, unless the Secretary of the Service makes a formal determination that the individual must report sooner. Experience gained during the recent mobilization exercise "NIFTY NUGGET" led the Department of Defense to conclude that under present law the Secretary's determination to limit the period before reporting can be made only after the commencement of a mobilization, thereby causing uncertainty and delays in the availability of reserve personnel.

The language of this section of the bill simply clarifies the already existing authority in section 622a of title 10, United States Code regarding the Secretary's authority to order reservists to active duty without delay.

Removal of Restrictions on Reserve Training Duty

Current law requires that a reserve officer, who is a graduate of a Reserve Officer Training Corps program or certain other officer candidate programs, be ordered to active duty for training for at least three months. However there are currently a number of initial training courses for officers that are less than three months in duration. Holding a reserve officer on active duty beyond the period required for training is not an efficient use of manpower, training facilities, or funds.

This legislation deletes the requirement of a minimum training period of three months. However, section 671 of title 10, United States Code, stipulates that no one may be assigned to active duty outside the United States unless that person has received at least 12 weeks of training or its equivalent. Since reserve officers normally receive six weeks of active duty training during the summer between their junior and senior year of college, the combination of this summer training and the initial period of active duty are the equivalent of the 12 weeks of training generally required for new personnel entering the Armed Forces.

Authorization of Additional Service Enlisted Personnel

The Committee amendment to the bill authorizes additional senior enlisted personnel, in pay grades E–7 and E–8, on active duty in support of Reserve components. Current law restricts the number of E–8 and E–9 personnel to one percent and two percent, respectively, of the total enlisted force of any service. Due to the large expansion of full time active personnel to support Reserve units and the conversion of civilian technician positions to fill the active duty positions, the services are having difficulty accommodating the new personnel within the existing ceiling.

The amendment authorizes the following levels of senior enlisted personnel on active duty in support of reserve components:

Army:	
E–9	200
E–8	823
Navy:	
E–9	140
E–8	302
Air Force:	
E–9	71
E–8	302

Departmental Recommendations

The legislative proposals of the Department of Defense on various provisions included in the bill follow:

General Counsel of the Department of Defense,
Washington, D.C., April 23, 1980.

Hon. Walter F. Mondale,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft bill, to amend section 673b of title 10, United States Code, to provide for increasing the

number of members of the Selected Reserve who may be ordered to active duty other than during war or national emergency.

This proposal is part of the Department of Defense Legislative Program for the 96th Congress, and the Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to increase significantly the nation's defense capabilities, and contribute to the effectiveness of Guard and Reserve Forces, by increasing to 100,000 the number of Reservists which the President can order to active duty under the cited statute.

Legislation authorizing the President to order up to 50,000 Reservists to active duty for no longer than 90 days was enacted by Congress on May 14, 1976 (Pub. L. No. 94-286). Experience has shown that the legislation made important improvements to our national defense posture. It provided the President flexibility to deal with crises requiring a measured military response but for which declaration of a national emergency might be premature or have undesirable international or domestic consequences. It made it possible for the Department of Defense to plan for carefully limited but rapid augmentation of the active force in emergencies requiring an immediate enhancement of readiness posture.

As Congress intended, the legislation has also added impetus to fuller realization of Total Force policy. The active component, recognizing that Guard and Reserve Forces are likely to be called on for immediate support during the earliest stages of a military emergency, has assigned them important missions and provided modern equipment to support those missions. Because Guard and Reserve Forces can be activated promptly, their credibility has increased significantly and they are, in the truest sense, effectively integrated into the defense structure.

Despite these very beneficial consequences of the legislation, events which have occurred since 1976 compel the Department to conclude that 50,000 is an inadequate number to satisfy the purposes for which the authority was originally provided by Congress.

Planning work based on the 50,000 limit has disclosed that the number is too small to permit allocation of sufficient Selected Reserve forces to meet immediate land, sea, and air support requirements in most situations where use of the authority would be appropriate. For example, almost half the authorized force is required merely to augment airlift capabilities, leaving a balance too small for effective land or sea operations. Representative scenarios illustrating that fact, along with force requirements lists, were furnished to the House and Senate Armed Services Committees in a secret "Report on the Plans to Order to Active Duty 50,000 Selected Reservists" on 31 Janaury 1979.

Exercise Nifty Nugget, a test of mobilization capability conducted the previous year, underscored the fact that 50,000 is inadequate to

deal effectively with the types of contingencies which made the recall authority necessary in the first place. The number is simply too restrictive to allow the types of Reserve augmentation essential for flexible crisis response.

To mitigate these difficulties and satisfy more effectively the purposes for which the Presidential authority was enacted by Congress, the Department proposes that the limit be increased from 50,000 to 100,000. No change in the scope of the authority or the 90-day duration is sought.

Two important benefits would be achieved by expanding the ceiling to 100,000.

Such a number would allow balanced Guard and Reserve Force augmentation in support of the Rapid Deployment Force. It would also permit planning and deployment options which can prevent degradation of NATO reinforcement capabilities in emergencies for which active forces intended for use in NATO must be employed elsewhere.

As contrasted to the current ceiling, a force of 100,000 enables planners to develop flexible planning and employment options to recall selectively Guard and Reserve Forces in combinations which can both help contain a crisis while concurrently laying the groundwork for higher levels of mobilization should deterrence fail. For example, activating Guard and Reserve Forces to secure airfields and other critical sites, to bring early deploying support units to higher readiness, and bring ports to higher operating levels are actions which might well deter a hostile power from persisting in a provocative course. But if the crisis nonetheless escalates, these same actions will have enhanced military readiness and provided the foundation for partial or full mobilization.

In summary, the Presidential recall authority was originally approved by Congress for sound reasons, and results of the legislation have been uniformly beneficial. However, planning work, exercise results, recent and possible future international crises, and advantages attainable by packaging and using Guard and Reserve Forces to accomplish early-on crisis containment and increased readiness tasks demonstrate that the President should be allowed to order to active duty up to 100,000 Selected Reserve personnel under provisions of 10 U.S.C. 673b.

COST AND BUDGET DATA

No additional costs for the Department of Defense beyond those currently budgeted for are anticipiated if this increase is enacted.

Sincerely,

TOGO D. WEST, Jr.

Enclosure.

A BILL To amend section 673b of title 10, United States Code, to provide for increasing the number of members of the Selected Reserve who may be ordered to active duty other than during war or national emergency.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 673b of title 10, United States Code, is amended by striking the number "50,000" and substituting therefor the number "100,000."

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,

Washington, D.C. April 12, 1980.

Hon. WALTER F. MONDALE,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of proposed legislation, to amend title 10, United States Code, to authorize the Secretary concerned or the Secretary's designee to determine the period of time to be allowed to a Reservist between the time he or she is ordered to active duty and the time he or she enters upon active duty.

This proposal is a part of the Department of Defense Legislative Program for the 96th Congress. The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

As a result of Exercise Nifty Nugget, a test of mobilization capability, it became apparent that mobilization procedures for members of the Reserve Components must be simplified to permit maximum flexibility in the use of this manpower resource. This proposed legislation would eliminate the requirement that the Secretary concerned make a determination during the mobilization that military requirements do not allow Reservists to have a 30-day delay between the date they are ordered to active duty and the date they must enter upon that duty.

In the event of a full mobilization for a short warning NATO/Warsaw Pact conflict, most members of the Ready Reserve are needed in the first 30 days with many Selected Reserve units required in a matter of hours after M-Day. This fact is known now and yet, under 10 U.S.C. 672(e), the Secretary concerned must wait until after commencement of the mobilization to formally waive the 30-day delay between receipt of the order and the reporting date. This legal requirement would undoubtedly delay the mobilization of some Reservists.

Elimination of the 30-day delay would also allow for more definitive, realistic, mobilization planning. No longer would planners have to make the assumption that the 30-day delay would be waived, but could definitely plan that Reservists would be mobilized and available when they were needed.

This proposed change also enables the Secretary concerned to designate the authority to determine the allowable length of time between the order to active duty and the entry upon active duty. This would relieve the Secretary concerned from the unnecessary administrative burden and allow the mobilization of Reservists to proceed in an expeditious manner according to predetermined plans.

This proposed legislation will apply to all members of the Reserve Components who are ordered to active duty after the date of enactment of this proposal.

COST AND BUDGET DATA

The enactment of this proposal will cause no apparent increase in the budgetary requirements for the Department of Defense.

Sincerely,

TOGO D. WEST, JR.

Enclosure.

A BILL To amend title 10, United States Code, to authorize the Secretary concerned or the Secretary's designee to determine the period of time to be allowed to a Reservist between the time he or she is ordered to active duty and the time he or she enters upon active duty

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 672 of title 10, United States Code, is amended by deleting subsection (e) and substituting in lieu thereof:

"(e) Depending upon the military requirements, the period of time allowed between the date when a Reserve ordered to active duty (other than active duty for training) is alerted for that duty and the date when he or she is required to enter upon that duty shall be determined by the Secretary concerned or by such Secretary's designee."

DEPARTMENT OF THE ARMY,
Washington, D.C., January 19, 1979.

Hon. WALTER F. MONDALE,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Inclosed is a draft of legislation to amend section 6(d)(1) of the Military Selective Service Act (50 USC App. 456(d)(1) to provide greater training flexibility for Reserve officers ordered to active duty for training for not more than six months by deleting the requirement that they be ordered to active duty for not less than three months.

This proposal is a part of the Department of Defense Legislative Program for the 96th Congress, and the Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of Congress. The Department of the Army has been designated the representative of the Department of Defense for this legislation. It is recommended that the proposal be enacted by Congress.

PURPOSE OF LEGISLATION

The purpose of the bill is to increase the training flexibility with respect to Reserve officers who are ordered to active duty upon completion of Reserve Officers' Training Corps programs by removing the requirement that they be ordered to active duty for at least three months. Section 6(d)(1) of the Military Selective Service Act at one time provided that graduates of a Reserve Officers' Training Corps program were to be ordered to active duty for six months training.

This provision was changed by Public Law 87–378, October 4, 1961, to provide for a period of not less than three or more than six months of training for such persons. The main purpose of that amendment, as with the legislation inclosed, was to increase the training flexibility of the military departments (Senate Report 498, 87th Congress, 1st Session, 7 July 1961, p. 6).

Generally Reserve officers who perform active duty for training from three to six months fulfill their obligation through attendance at a training course which is designed to qualify them for duty if they are mobilized. Some of these courses are less than three months long.

As an example, Reserve officers of the Army attend officer branch qualification courses of the branch to which they are assigned after appointment as Reserves. Most of these are three-month courses; however, some last for only nine weeks. Upon completion of a nine-week course, a Reserve officer who, under current law, must serve on active duty for at least three months must remain on active duty for three weeks after completion of his training courses. Because of the short duration of his remaining active duty obligation, he is of minimal utility and his retention results in unnecessary expenditure of funds. Removal of the requirement that a Reserve officer be ordered to active duty for at least three months will permit a Reserve officer ordered to active duty for training to be released upon completion of a training course which will qualify him for duty if mobilized, even if the course is less than three months long.

COST AND BUDGET DATA

Savings that would accrue through enactment of this proposal cannot be precisely determined. Savings would be dependent on variable numbers of students and the lengths of initial training when training is less than three months. The ability to release officer students in less than three months will result in a cost savings.

ENVIRONMENTAL AND CIVIL RIGHTS IMPACT CONSIDERATIONS

This proposal has no environmental or civil rights impact.

Sincerely,

ROBERT L. NELSON,
Assistant Secretary of the Army,
(Manpower and Reserve Affairs).

Enclosure.

A BILL To amend section 6(d)(1) of the Military Selective Service Act (50 U.S.C. App. 456(d)(1)) to provide greater training flexibility for Reserve officers ordered to active duty for training for not more than six months by deleting the requirement that they be ordered to active duty for not less than three months

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(d)(1) of the Military Selective Service Act as amended (50 U.S.C. App. 456(d)(1)) is amended by striking out "less than three months or" in the fifth sentence.

Committee Action

The Committee on Armed Services on December 2, 1980, approved H.R. 7682 by unanimous vote.

Congressional Budget Office Estimate

U.S. Congress,
Congressional Budget Office,
Washington, D.C.

Hon. John Stennis,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: In accordance with Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has reviewed H.R. 7682, a bill to amend the United States Code to provide greater flexibility for the Armed Forces in ordering Reserves to active duty, and for other purposes, as ordered reported by the Senate Armed Services Committee, on December 2, 1980. This bill is estimated to have no budget impact.

Should the Committee so desire, we would be pleased to provide further detail on our research into the costs of this bill.

Sincerely,

Alice M. Rivlin,
Director.

Regulatory Impact

Paragraph 5 of rule XXIX of the Standing Rules of the Senate requires that a report on the regulatory impact of a bill be included in the report on such bill. The committee finds that in the case of H.R. 7682 there is no regulatory impact.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law proposed to be made by the bill are shown as follows: Existing law to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman.

TITLE 10, UNITED STATES CODE—ARMED FORCES

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Subtitle A—General Military Law

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CHAPER 31.—ENLISTMENTS

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§ 517. Authorized daily average: members in pay grades E–8 and E–9

(a) Except as provided in section 307 of title 37, the authorized daily average number of enlisted members on active duty (other than for training) in an armed force in pay grades E–8 and E–9 in a calendar year may not be more than 2 percent and 1 percent, respectively, of the number of enlisted members of that armed force who are on active duty (other than for training) on January 1 of that year. *In computing the limitations prescribed in the preceding sentence, there shall be excluded enlisted members of an armed force on active duty (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve component of an armed force.*

(b) The number of enlisted members in pay grades E–8 and E–9 who may be on active duty as of the end of any fiscal year in connection with organizing, administering, recruiting, instructing, or training the reserve components of the armed forces may not exceed the number prescribed for the grade and the armed force in the following table:

Army:	
Grade:	
E–9	*209*
E–8	*823*
Navy:	
Grade:	
E–9	*140*
E–8	*302*
Air Force:	
Grade:	
E–9	*71*
E–8	*302*

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CHAPTER 39.—ACTIVE DUTY

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§ 672. Reserve components generally

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[(e) A reasonable time shall be allowed between the date when a Reserve ordered to active duty (other than for training) is alerted for that duty and the date when he is required to enter upon that duty. Unless the Secretary concerned determines that the military requirements do not allow it, this period shall be at least 30 days.]

(e) The period of time allowed between the date when a Reserve ordered to active duty (other than for training) is alerted for that duty and the date when the Reserve is required to enter upon that duty shall be determined by the Secretary concerned based upon military requirements at that time.

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§ 673b. Selected Reserve; order to active duty other than during war or national emergency

(a) Notwithstanding the provisions of section 673(a) or any other provision of law, when the President determines that it is necessary to augment the active forces for any operational mission, he may authorize the Secretary of Defense and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, without the consent of the members concerned, to order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve (as defined in section 268(b) of this title), under their respective jurisdictions, to active duty (other than for training) for not more than 90 days.

(b) No unit or member of a Reserve component may be ordered to active duty under this section to perform any of the functions authorized by chapter 15 or section 3500 or 8500 of this title, or to provide assistance to either the Federal Government or a State in time of a serious natural or manmade disaster, accident, or catastrophe.

(c) Not more than [50,000] *100,000* members of the Selected Reserve may be on active duty under this section at any one time.

(d) Members ordered to active duty under this section shall not be counted in computing authorized strength in members on active duty or members in grade under this title or any other law.

(e) The Secretary of Defense and the Secretary of Transportation shall prescribe such policies and procedures for the Armed Forces under their respective jurisdictions as they consider necessary to carry out this section.

(f) Whenever the President authorizes the Secretary of Defense or the Secretary of Transportation to order any unit or member of the Selected Reserve to active duty, under the authority of subsection (a), he shall, within 24 hours after exercising such authority, submit to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth the circumstances necessitating the action taken under this section and describing the anticipated use of these units or members.

(g) Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit is ordered to active duty under authority of subsection (a), the service of all units or members so ordered to active duty may be terminated by—

(1) order of the President, or

(2) a concurrent resolution of the Congress.

(h) Nothing contained in this section shall be construed as amending or limiting the application of the provisions of the War Powers Resolution.

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TITLE 50, WAR AND NATIONAL DEFENSE

APPENDIX

EMERGENCY AND POST-WAR LEGISLATION

MILITARY SELECTIVE SERVICE ACT

ACT JUNE 24, 1948, C. 625, 62 STAT. 604

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§ 456. Deferments and exemptions from training and service

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(d) (1) Within such numbers as may be prescribed by the Secretary of Defense, any person who (A) has been or may hereafter be selected for enrollment or continuance in the senior division, Reserve Officers' Training Corps, or the Air Reserve Officers' Training Corps, or the Naval Reserve Officers' Training Corps, or the Naval and Marine Corps officer candidate training program established by the Act of August 13, 1946 (60 Stat. 1057), as amended, or the Reserve officers' candidate program of the Navy, or the platoon leaders' class of the Marine Corps, or the officer procurement programs of the Coast Guard and the Coast Guard Reserve, or appointed an ensign, United States Naval Reserve, while undergoing professional training; (B) agrees, in writing, to accept a commission, if tendered, and to serve, subject to order of the Secretary of the military department having jurisdiction over him (or the Secretary of Transportation with respect to the United States Coast Guard), not less than two years on active duty after receipt of a commission; and (C) agrees to remain a member of a regular or reserve component until the eighth anniversary of the receipt of a commission in accordance with his obligation under the first sentence of section 651 of title 10, United States Code, or until the sixth anniversary of the receipt of a commission in accordance with his obligation under the second sentence of section 4(d) (3) of this Act [section 454(d) (3) of this Appendix], shall be deferred from induction under this title until after completion or termination of the course of instruction and so long as he continues in a regular or reserve status upon being commissioned, but shall not be exempt from registration. Such persons, except those persons who have previously completed an initial period of military training or an equivalent period of active military training and service, shall be required while enrolled in such programs to complete a period of training equal (as determined under regulations approved by the Secretary of Defense or the Secretary of Transportation with respect to the United States Coast Guard) in duration and type of training to an initial period of military training. There shall be added to the obligated active commissioned service of any person who has agreed to perform such obligatory service in return for financial assistance while attending a civilian college under any such training program a period of not to exceed one year. Except

as provided in paragraph (5), upon the successful completion by any person of the required course of instruction under any program listed in clause (A) of the first sentence of this paragraph, such person shall be tendered a commission in the appropriate reserve component of the Armed Forces if he is otherwise qualified for such appointment. If, at the time of, or subsequent to, such appointment, the armed force in which such person is commissioned does not require his service on active duty in fulfillment of the obligation undertaken by him in compliance with clause (B) of the first sentence of this paragraph, such person shall be ordered to active duty for training with such armed force in the grade in which he was commissioned for a period of active duty for training of not [less than three months or] more than six months (not including duty performed under section 270(a) of title 10, United States Code [section 270(a) of Title 10]), as determined by the Secretary of the military department concerned to be necessary to qualify such person for a mobilization assignment. Upon being commissioned and assigned to a reserve component, such person shall be required to serve therein, or in a reserve component of any other armed force in which he is later appointed, until the eighth anniversary of the receipt of such commission pursuant to the provisions of this section. So long as such person performs satisfactory service, as determined under regulations prescribed by the Secretary of Defense, he shall be deferred from training and service under the provisions of this Act. If such person fails to perform satisfactory service, and such failure is not excused under regulations prescribed by the Secretary of Defense, his commission may be revoked by the Secretary of the military department concerned.

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